

Attorney Docket No: 1049-1-004N1

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION

As below named inventors, we hereby declare that:

Our residence, post office address and citizenship are as stated below under our names.

We believe that we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled

**METHODS OF IDENTIFYING G-COUPLED RECEPTORS ASSOCIATED
WITH MACROPHAGE-TROPHIC HIV, AND DIAGNOSTIC AND
THERAPEUTIC USES THEREOF**

the Specification of which

[] is attached hereto
[X] was filed on May 21, 1997
as Application Serial No. 08/861,105

We hereby state that we have reviewed and understand the contents of the above-identified Specification, including the claims, as amended by any amendment referred to above.

We acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, 1.56(a).

We hereby claim foreign priority benefits under Title 35, United States Code, §119 of any provisional application filed in the United States in accordance with 35 U.S.C. §1.119(e), or any application for patent that has been converted to a Provisional Application within one (1) year of its filing date, or any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

<u>APPLICATION</u>	<u>COUNTRY</u>	<u>PRIOR FILED APPLICATION(S)</u> <u>(DAY/MONTH/YEAR FILED)</u>	<u>PRIORITY</u>
<u>NUMBER</u>			<u>CLAIMED</u>
60/017,157	United States	20 May 1996	Yes

We hereby claim the benefit under Title 35, United States Code, §120 of any United States application listed below, and, insofar as the subject matter of each of the claims of this application is not disclosed in any prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a), which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

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APPLICATION	FILING DATE	STATUS - PATENTED, PENDING,
NO.	(DAY/MONTH/YEAR)	ABANDONED
08/858,660	19 May 1997	Pending

We hereby appoint as our attorneys or agents the following persons: Jack Matalon, (Attorney, Registration No. 22,441); Stefan J. Klauber (Attorney, Registration No. 22,604); David A. Jackson (Attorney, Registration No. 26,742); Michael D. Davis (Attorney, Registration No. 39,161); Joseph M. Homa (Attorney, Registration No. 40,023); and Christine E. Dietzel (Agent, Registration No. 37,309), said attorneys or agents with full power of substitution and revocation to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Please address all correspondence regarding this application to:

DAVID A. JACKSON, ESQ.
KLAUBER & JACKSON
411 HACKENSACK AVENUE
HACKENSACK, NEW JERSEY 07601

Direct all telephone calls to David A. Jackson at (201) 487-5800.

We hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

FULL NAME OF FIRST JOINT INVENTOR: DAN R. LITTMAN

COUNTRY OF CITIZENSHIP: United States

FULL RESIDENCE ADDRESS: 29 Washington Square West
New York, New York 10011

FULL POST OFFICE ADDRESS: 29 Washington Square West
New York, New York 10011

SIGNATURE OF INVENTOR DATE 1/27/98

Attorney Docket No: 1049-1-004NI

FULL NAME OF SECOND JOINT INVENTOR: HONGKUI DENG

COUNTRY OF CITIZENSHIP: People's Republic of China

FULL RESIDENCE ADDRESS: c/o Antigen Express, Inc.
1 Innovation Drive
Worcester, Massachusetts 06105-4306FULL POST OFFICE ADDRESS: c/o Antigen Express, Inc.
1 Innovation Drive
Worcester, Massachusetts 06105-4306

SIGNATURE OF INVENTOR _____

DATE _____

FULL NAME OF THIRD JOINT INVENTOR: WILFRIED ELLMEIER

COUNTRY OF CITIZENSHIP: Austria

FULL RESIDENCE ADDRESS: 564 First Avenue, Apt. 13X
New York, New York 10016FULL POST OFFICE ADDRESS: 564 First Avenue, Apt. 13X
New York, New York 10016SIGNATURE OF INVENTOR  _____DATE 1/23/98

Attorney Docket No: 1049-1-004N1

FULL NAME OF FOURTH JOINT INVENTOR: NATHANIEL R. LANDAU

COUNTRY OF CITIZENSHIP: United States

FULL RESIDENCE ADDRESS: 200 East 94th Street, Apt. 1514
New York, New York 10128

FULL POST OFFICE ADDRESS: 200 East 94th Street, Apt. 1514
New York, New York 10128

SIGNATURE OF INVENTOR _____

DATE _____

FULL NAME OF FIFTH JOINT INVENTOR: RONG LIU

COUNTRY OF CITIZENSHIP: People's Republic of China

FULL RESIDENCE ADDRESS: 400 W. 119th Street, Apt. 5M
New York, New York 10027

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COUNTRY OF CITIZENSHIP: Austria

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DATE _____

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New York, New York 10027FULL POST OFFICE ADDRESS: 400 W. 119th Street, Apt. 5M
New York, New York 10027SIGNATURE OF INVENTOR DATE 1/26/98

Applicant or Patentee: Dan R. Littman et al.

Application or Patent No.: 08/861,105

Filed or Issued: May 21, 1997

For: METHOD OF IDENTIFYING G-COUPLED RECEPTORS ASSOCIATED WITH
MACROPHAGE-TROPHIC HIV, AND DIAGNOSTIC AND THERAPEUTIC
USES THEREOF

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY
STATUS (37 C.F.R. §§ 1.9(f) AND 1.27(d)) - NONPROFIT ORGANIZATION**

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF ORGANIZATION NEW YORK UNIVERSITY

ADDRESS OF ORGANIZATION 70 Washington Square South

New York, New York 10012

TYPE OF ORGANIZATION

- ☒ University or other institution of higher education
- ☐ Tax exempt under Internal Revenue Service Code (26 U.S.C. §§ 501(a) and 501(c)(3))
- ☐ Nonprofit scientific or educational under statute of state of The United States of America
(Name of state _____)
(Citation of statute _____)
- ☐ Would qualify as tax exempt under Internal Revenue Service Code (26 U.S.C. §§ 501(a) and 501(c)(3)) if located in The United States of America
- ☐ Would qualify as nonprofit scientific or educational under statute of The United States of America if located in The United States of America
(Name of state _____)
(Citation of statute _____)

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 C.F.R. § 1.9(e) for purposes of paying reduced fees under Sections 41(a) and 41(b) of Title 35, United States Code, with regard to the invention entitled METHODS OF IDENTIFYING G-COUPLED RECEPTORS ASSOCIATED WITH MACROPHAGE-TROPHIC HIV, AND DIAGNOSTIC AND THERAPEUTIC USES THEREOF by inventor(s) Dan R. Littman; Hongkui Deng; Wilfried Ellmeier; Nathaniel R. Landau; and Rong Liu described in

- ☐ the specification filed herewith
- ☒ Application No. 08/861,105, filed May 21, 1997
- ☐ Patent No. _____, issued _____

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above-identified invention.

If the rights held by the above-identified nonprofit organization are not exclusive, each individual, concern, or organization having rights to the invention is listed below,* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an individual inventor under 37 C.F.R. § 1.9(c), or by any concern that would not qualify as either a small business concern under 37 C.F.R. § 1.9(d) or a nonprofit organization under 37 C.F.R. § 1.9(e).

*NOTE: Separate verified statements are required from each named person, concern, or organization having rights to the invention averring to their status as small entities. (37 C.F.R. § 1.27.)

FULL NAME _____

ADDRESS _____

☐ individual ☐ small business concern ☐ nonprofit organization

FULL NAME _____

ADDRESS _____

☐ individual ☐ small business concern ☐ nonprofit organization

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earlier of the issue fee and any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 C.F.R. § 1.28(b).)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code; and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING _____ ISAAC T. KOHLBERG

TITLE IN ORGANIZATION _____ Vice President for Industrial Liaison

ADDRESS OF PERSON SIGNING _____ 550 First Avenue

New York, New York 10016

SIGNATURE Isaac T. Kohlberg DATE 1/27/98